



WEB COPY



Tr.CMP. No.959 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2023

CORAM :

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

TR.CMP No.959 of 2023
and C.M.P.No.23203 of 2023

Sumathi Petitioner

-Vs-

Krishnamoorthy Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C., to withdraw and transfer the case in HMOP.No.24 of 2023 on the file of the Sub Court, Ulundurpet to Family Court,Cuddalore.

For Petitioner : Mr. S.C.Vishwanath

ORDER

This petition has been filed by the petitioner seeking to withdraw and transfer the case in HMOP.No.24 of 2023 on the file of the Sub Court, Ulundurpet to Family Court,Cuddalore.



2. The learned counsel for the petitioner submitted that the petitioner has married the respondent and they having one male child. He further submitted that the petitioner has been tortured at the hands of the respondent and his family members and demanded additional dowry from the parents of the petitioner. As a result, the petitioner was sent out from the matrimonial home. Thereafter, the respondent filed a petition for divorce in HMOP.No.24 of 2023 before the Sub Court, Ulundurpet and the same is pending. He further submitted that the petitioner is living with her parents along with her children and it is very difficult for the petitioner to attend the court hearings at Ulundurpet and she was unable to travel 130 kilometers along with children. Hence, he prays to allow this petition.

3. Considering the facts and circumstances of the case and also the fact that the petitioner is residing at parents home along with her children and she unable to travel for 130 kilometers. Therefore, the reasons stated by the petitioner and the same is justifiable. Accordingly, the present Tr.C.M.P. is allowed and the HMOP.No.24 of 2023 pending on the file of the Sub Court, Ulundurpet, is withdrawn and transferred to the file of the Family Court, Cuddalore. Consequently, connected miscellaneous petition is closed. No costs.



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4.The trial Judge, Family Court, Cuddalore, is directed to issue notice to the respondent/husband, within a period of two weeks from the date of receipt of a copy of this order and proceed with the case in the manner known to law.

12.10.2023

Speaking / Non Speaking order
Neutral Citation : Yes/No
Index :Yes/No
msrm

To

- 1.The Sub Court, Ulundurpet.
- 2.The Family Court, Cuddalore.



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T.V.THAMILSELVI, J.

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